

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 773

BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE;
APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE
DIVISIONS OF CHILD WELFARE, SERVICES FOR THE DEVELOPMENTALLY DISABLED,
AND SERVICE INTEGRATION FOR FISCAL YEAR 2023; LIMITING THE NUMBER OF
AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND
TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR
TRUSTEE AND BENEFIT PAYMENTS; PROVIDING REQUIREMENTS FOR PROGRAM IN-
TEGRITY; CLARIFYING THE RESPONSIBILITY FOR THE EDUCATION OF CERTAIN
CHILDREN IN STATE CARE; DIRECTING THE USE OF CHILD ABUSE PROTECTION
TREATMENT ACT FUNDS; DIRECTING EXPENDITURES FOR THE DIVISION OF CHILD
WELFARE; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH
AND WELFARE FOR THE DIVISION OF CHILD WELFARE FOR FISCAL YEAR 2022; AP-
PROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE
FOR THE SOUTHWEST IDAHO TREATMENT CENTER FOR CAPITAL OUTLAY FOR FISCAL
YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH
AND WELFARE FOR THE SOUTHWEST IDAHO TREATMENT CENTER FOR PERSONNEL
COSTS FOR FISCAL YEAR 2022; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. There is hereby appropriated to the Department of Health and
Welfare the following amounts to be expended according to the designated
programs and expense classes from the listed funds for the period July 1,
2022, through June 30, 2023:

	FOR	FOR	FOR	
	PERSONNEL	OPERATING	TRUSTEE AND	
	COSTS	EXPENDITURES	BENEFIT	TOTAL
			PAYMENTS	
I. CHILD WELFARE:				
A. CHILD WELFARE:				
FROM:				
Cooperative Welfare (General)				
Fund	\$13,078,100	\$1,852,000		\$14,930,100
Cooperative Welfare (Dedicated)				
Fund	73,500	20,000		93,500
Cooperative Welfare (Federal)				
Fund	<u>25,692,500</u>	<u>5,829,600</u>		<u>31,522,100</u>
TOTAL	\$38,844,100	\$7,701,600		\$46,545,700

	FOR	FOR	FOR	
	PERSONNEL	OPERATING	TRUSTEE AND	
	COSTS	EXPENDITURES	BENEFIT	TOTAL
			PAYMENTS	
5	B. FOSTER & ASSISTANCE PAYMENTS:			
6	FROM:			
7	Cooperative Welfare (General)			
8	Fund		\$21,677,500	\$21,677,500
9	Cooperative Welfare (Dedicated)			
10	Fund		150,000	150,000
11	Cooperative Welfare (Federal)			
12	Fund		<u>28,267,800</u>	<u>28,267,800</u>
13	TOTAL		\$50,095,300	\$50,095,300
14	DIVISION TOTAL	\$38,844,100	\$7,701,600	\$50,095,300
				\$96,641,000
15	II. SERVICES FOR THE DEVELOPMENTALLY DISABLED:			
16	A. COMMUNITY DEVELOPMENTAL DISABILITY SERVICES:			
17	FROM:			
18	Cooperative Welfare (General)			
19	Fund	\$8,579,100	\$896,000	\$2,421,300
20	Cooperative Welfare (Dedicated)			
21	Fund	119,000	46,300	783,100
22	Cooperative Welfare (Federal)			
23	Fund	<u>6,833,200</u>	<u>1,056,600</u>	<u>2,927,600</u>
24	TOTAL	\$15,531,300	\$1,998,900	\$6,132,000
				\$23,662,200
25	B. SOUTHWEST IDAHO TREATMENT CENTER:			
26	FROM:			
27	Cooperative Welfare (General)			
28	Fund	\$3,969,100	\$471,000	\$78,800
29	Cooperative Welfare (Dedicated)			
30	Fund	328,500	137,800	10,600
31	Cooperative Welfare (Federal)			
32	Fund	<u>5,965,600</u>	<u>1,613,700</u>	<u>141,700</u>
33	TOTAL	\$10,263,200	\$2,222,500	\$231,100
				\$12,716,800
34	DIVISION TOTAL	\$25,794,500	\$4,221,400	\$6,363,100
				\$36,379,000

	FOR	FOR	FOR	
	PERSONNEL	OPERATING	TRUSTEE AND	
	COSTS	EXPENDITURES	BENEFIT	TOTAL
			PAYMENTS	
5	III. SERVICE INTEGRATION:			
6	FROM:			
7	Cooperative Welfare (General)			
8	Fund	\$264,800	\$41,300	\$450,000
9	Cooperative Welfare (Dedicated)			
10	Fund		19,500	50,000
11	Cooperative Welfare (Federal)			
12	Fund	<u>2,392,000</u>	<u>268,500</u>	<u>2,900,000</u>
13	TOTAL	\$2,656,800	\$329,300	\$3,400,000
14	GRAND TOTAL	\$67,295,400	\$12,252,300	\$59,858,400
			\$139,406,100	

15 SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519,
 16 Idaho Code, each of the programs in the Department of Health and Welfare
 17 listed below is authorized no more than the following number of full-time
 18 equivalent positions at any point during the period July 1, 2022, through
 19 June 30, 2023, unless specifically authorized by the Governor. The Joint
 20 Finance-Appropriations Committee will be notified promptly of any increased
 21 positions so authorized.

22	Child Welfare	434.80
23	Community Developmental Disability Services	181.96
24	Southwest Idaho Treatment Center	121.75
25	Service Integration	35.00

26 SECTION 3. GENERAL FUND TRANSFERS. As appropriated, the Office of the
 27 State Controller shall periodically make transfers from the General Fund to
 28 the Cooperative Welfare Fund as requested by the director of the Department
 29 of Health and Welfare and approved by the Board of Examiners.

30 SECTION 4. TRUSTEE AND BENEFIT PAYMENTS. Notwithstanding the provi-
 31 sions of Section 67-3511, Idaho Code, funds appropriated in the trustee and
 32 benefit payments expense class shall not be transferred to any other expense
 33 classes during fiscal year 2023.

34 SECTION 5. PROGRAM INTEGRITY. Notwithstanding any other provision of
 35 law to the contrary, the Department of Health and Welfare shall be required
 36 to provide those services authorized or mandated by law in each program, only
 37 to the extent of funding and available resources appropriated for each bud-
 38 geted program.

39 SECTION 6. EDUCATIONAL NEEDS. The Department of Health and Welfare
 40 shall be responsible for the educational needs of school-age children placed

1 in its custody by the courts for either child protective issues or mental
 2 health issues. If the department places a child in a licensed residential
 3 treatment facility that includes a nonpublic accredited school and it is de-
 4 termined by the department that it is in the best interests of the child to be
 5 educated at the residential treatment facility, then it is the responsibil-
 6 ity of the department to pay for such education per student, per educational
 7 day. Other Idaho state agencies shall not be precluded from exercising their
 8 responsibility to ensure a free and appropriate education for these students
 9 within the requirements of federal disability law. The fiscal impact of this
 10 section is included within existing department base appropriations.

11 SECTION 7. CHILD ABUSE PROTECTION TREATMENT ACT FUNDS. Of the amount
 12 appropriated in Section 1 of this act from the Cooperative Welfare (Federal)
 13 Fund, a minimum of \$42,000 of federal Child Abuse Protection Treatment Act
 14 (CAPTA) funds appropriated to the Department of Health and Welfare shall
 15 be provided to the public health districts each year. Funds for each pub-
 16 lic health district shall be distributed at one-seventh (1/7) of the total
 17 amount, which shall be used for the citizen review panels pursuant to Section
 18 16-1647, Idaho Code.

19 SECTION 8. TRANSFER OF APPROPRIATIONS. Notwithstanding the provisions
 20 of Section 67-3511, Idaho Code, funding provided for the personnel costs ex-
 21 pense class in the Division of Child Welfare shall not be transferred to any
 22 other budgeted program or expense class within the Department of Health and
 23 Welfare during fiscal year 2023.

24 SECTION 9. In addition to the appropriation made in Section 1, Chap-
 25 ter 163, Laws of 2021, and any other appropriation provided for by law, there
 26 is hereby appropriated to the Department of Health and Welfare for the Fos-
 27 ter and Assistance Payments Program the following amounts to be expended for
 28 trustee and benefit payments from the listed funds for the period July 1,
 29 2021, through June 30, 2022, for the purpose of foster care payments:

30	FROM:	
31	Cooperative Welfare (General)	
32	Fund	\$821,100
33	Cooperative Welfare (Federal)	
34	Fund	<u>704,700</u>
35	TOTAL	\$1,525,800

36 SECTION 10. In addition to the appropriation made in Section 1, Chap-
 37 ter 163, Laws of 2021, and any other appropriation provided for by law, there
 38 is hereby appropriated \$13,150,000 from the Cooperative Welfare (General)
 39 Fund to the Department of Health and Welfare for the Southwest Idaho Treat-
 40 ment Center, to be expended for capital outlay, for the period July 1, 2021,
 41 through June 30, 2022, for the purpose of construction of new buildings at
 42 the Southwest Idaho Treatment Center.

1 SECTION 11. In addition to the appropriation made in Section 1, Chapter
2 163, Laws of 2021, and any other appropriation provided for by law, there is
3 hereby appropriated \$65,000 from the Cooperative Welfare (General) Fund to
4 the Department of Health and Welfare for the Southwest Idaho Treatment Cen-
5 ter, to be expended for personnel costs, for the period July 1, 2021, through
6 June 30, 2022, for the purpose of recruitment and retention of staff.

7 SECTION 12. An emergency existing therefor, which emergency is hereby
8 declared to exist, this act shall be in full force and effect on and after its
9 passage and approval.